

REMARKS

In response to the Office Action dated December 3, 2003, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

The Declaration was objected to and a new Declaration is submitted herewith.

The specification was objected to and has been amended to address the items raised by the Examiner.

Claim 1 was rejected under 35 U.S.C. § 103 as being unpatentable over Ritter in view of admitted prior art and Fuji. This rejection is traversed for the following reasons.

Claim 1 recites an extra capacity radio base station, "the extra capacity radio base station utilizing an extra control radio to create $2n+1$ radios available for voice and data communication." In embodiments of the invention, two base stations are coupled and serve the same at least one sector of the wireless communication system. Accordingly, two control radios are not needed, but rather only one control radio is needed for the two base stations. The additional control radio may then be used for voice and data communications. The combination of Ritter, admitted prior art and Fuji fails to teach or suggest these features.

Ritter teaches a mobile radio telephone system in which cells are assigned particular re-use frequencies. There is no teaching in Ritter of using a control radio to provide an extra capacity. The base stations in Ritter are not coupled in a manner to allow elimination of a control radio. In Ritter, each base station serves a different sector of the wireless network as shown in Figure 1. This is contrary to claim 1 where the first base station and second base station provide wireless communication to at least one common sector.

Fuji was relied upon for teaching an extra control radio to create $2n+1$ radios. Applicants submit that Fuji does not teach an extra control radio for extra capacity. In Fuji, each base station has a control channel that is used by that base station and thus does not provide extra capacity. In Figures 8-14, Fuji discloses embodiments where one cell is located within another cell. Clearly, in this situation a common base station, and a common control radio, may serve two cells because the second cell is a subset of the first cell. Fuji, however, does not teach increasing capacity by using a control radio for voice

and data communication. Each base station includes a control radio which serves an area, regardless of how many cells are designated within the area. There is no "extra control radio" as alleged by the Examiner.

If the system of Fuji was incorporated with Ritter, the control radio would not provide extra capacity for voice and data communication as recited in claim 1. The control radio in each base station BS1, BS2, etc. would serve a different sector (e.g., areas 14, 16 and 18 in Ritter). There would be no increased capacity as recited in claim 1. Thus, even if Ritter, admitted prior art and Fuji are combined, the features of claim 1 do not result.

For the above reasons, claim 1 is patentable over Ritter, admitted prior art and Fuji.

Claims 2-6 and 11 were rejected under 35 U.S.C. § 103 as being unpatentable over admitted prior art in view of Ritter and Fuji. This rejection is traversed for the following reasons.

The admitted prior art does discuss 3x7 radio base stations. Ritter was relied upon as allegedly disclosing coupling of radio base stations. Applicants respectfully disagree that the base stations in Ritter serve the same sectors. The Examiner cites to Figure 1 and column 4, lines 48-65. Figure 1 of Ritter shows that each base station BS serves a different cell 14, 16 and 18. Thus, Ritter does not disclose two base stations coupled to serve the same three sectors.

Fuji was relied upon for allegedly teaching combining two 3x7 base stations to arrive at a 3x15 base station. Applicants respectfully disagree with this interpretation of Fuji. In Fuji, each base station has a control channel that is used by that base station and thus does not provide extra capacity. In Figures 8-14, Fuji discloses embodiments where one cell is located within another cell. Clearly, in this situation a common base station, and a common control radio, may serve two cells because the second cell is a subset of the first cell. Fuji, however, does not teach increasing capacity by coupling two base stations. Each base station includes a control radio which serves an area, regardless of how many cells are designated within the area. There is no extra capacity in Fuji. Thus, Fuji does not teach coupling two 3x7 radio base stations to create a 3x15 radio base station.

For the above reasons, claim 2 is patentable over admitted prior art in view of Ritter and Fuji. Claims 3-6 are dependent on claim 2 and patentable over admitted prior art in view of Ritter and Fuji for at least the reasons advanced with reference to claim 2. Claim 11 includes features similar to those in claim 2 and is patentable over admitted prior art in view of Ritter and Fuji for at least the reasons advanced with reference to claim 2.

Claims 7 and 8 were rejected under 35 U.S.C. § 103 as being unpatentable over admitted prior art in view of Ritter, Fuji and Ketonen. Ketonen was cited as disclosing a cabinet for the first and second radio base stations but fails to cure the deficiencies of admitted prior art in view of Ritter and Fuji discussed above with reference to claim 2. Claims 7 and 8 are dependent on claim 2 and patentable over admitted prior art in view of Ritter, Fuji and Ketonen for at least the reasons advanced with reference to claim 2.

Claims 9 and 10 were rejected under 35 U.S.C. § 103 as being unpatentable over admitted prior art in view of Ritter, Fuji and Djumhammer. Djumhammer was cited as disclosing a prefabricated structure but fails to cure the deficiencies of admitted prior art in view of Ritter and Fuji discussed above with reference to claim 2. Claims 9 and 10 are dependent on claim 2 and patentable over admitted prior art in view of Ritter, Fuji and Djumhammer for at least the reasons advanced with reference to claim 2.

Claims 12-20 were rejected under 35 U.S.C. § 103 as being unpatentable over admitted prior art in view of Ritter, Fuji and Eriksson. Independent claims 12 and 20 recite features similar to claims 2 and 11, namely "wherein the first 3x7 radio base station coupled to the second 3x7 radio base station creates the 3x15 radio base station, the 3x15 radio base station providing the three sectors with fifteen radios per each sector." Eriksson was cited for disclosing certain components of the radio base station, but fails to cure the deficiencies of the admitted prior art in view of Ritter and Fuji discussed above with reference to claims 2 and 11. Thus, claims 12-20 are patentable over admitted prior art in view of Ritter, Fuji and Eriksson for at least the reasons advanced with reference to claims 2 and 11.

New claims 21-26 recite structural features of the first and second radio base stations. Claims 21 and 24 indicate that the base stations are coupled by cabling as shown, for example in Applicants' Figure 5. Claims 22 and 25 recite a conduit

containing cabling coupling the first and second base stations as shown, for example, in Applicants' Figure 1. Claims 23 and 26 recite that the first and second base stations are contained in a common structure as shown, for example, in Applicants' Figure 2.

In view of the foregoing remarks, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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